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7 SPORT DIMENSION, INC. and KURT RIOS

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **WESTERN DIVISION**  
11

12 TECH-4-KIDS, INC.,

13 Plaintiff,

14 vs.

15 SPORT DIMENSION, INC. and KURT  
16 RIOS,

17 Defendants.  
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SPORT DIMENSION, INC.,

20 Counterclaimant,

21 vs.

22 TECH-4-KIDS, INC.,

23 Counter-Defendant.  
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26  
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CASE NO. 2:12-CV-06769-PA-AJW

**JOINT STIPULATION SEEKING  
EXTENSION RE DISMISSAL OF  
THE ACTION**

**[[Proposed] Order Filed Concurrently  
Herewith]**

**Judge: Honorable Percy Anderson**

**WHEREAS**, on June 11, 2013, the parties in this action, Plaintiff and Counter-Defendant Tech-4-Kids, Inc. and Defendants and Counterclaimants Sport Dimension, Inc. and Kurt Rios (collectively, the “Parties”), filed a stipulation informing the court that the parties had reached a settlement and requesting four weeks to finalize the settlement agreement and file the dismissal;

**WHEREAS**, on June 11, 2013, this Court issued a minute order denying the stipulation and ordering the Parties to file a dismissal by June 21, 2013 or to appear in person or telephonically with their client representatives to place essential terms of the settlement agreement on the record;

**WHEREAS**, the parties' counsel have exchanged multiple drafts of the Settlement Agreement and have been working diligently to negotiate the language of the Settlement Agreement;

**WHEREAS**, the parties have reached significant progress on the terms of the settlement agreement but have unexpectedly encountered an issue related to settlement terms that will require additional discussions and meetings between the parties;

**WHEREAS**, the parties believe that they will reach a settlement but need more time to confer between the Parties and negotiate the agreement;

**WHEREAS**, Sport Dimension's chief executive officer, Joseph Lin, the person with authority to settle this matter for Sport Dimension, has been traveling in Asia (throughout Burma, Thailand and Northern China) and will be unreachable between the afternoon of June 21 through June 24 and will travel back to the United States on June 26, 2013;

**WHEREAS**, Tech-4-Kids' ("T4K") president, Brad Pedersen, the person with authority to settle this matter for T4K, is currently out of town at a wedding;

**WHEREAS**, in order to file a dismissal of the action, there must be a signed settlement agreement and the parties have been unable to finalize the settlement agreement despite counsel's best efforts;

1       **WHEREAS**, pursuant to the Court's Scheduling Order, the parties are scheduled  
2 to file the pretrial conference order, witness lists, exhibits list, memorandum of  
3 contentions of fact and law, jury instructions, and other pretrial documents on June 21,  
4 2013;

5       **WHEREAS**, pursuant to the Court's Scheduling Order, the Pretrial Conference is  
6 currently scheduled for July 5, 2013, at 1:30 p.m.; and

7       **WHEREAS**, trial is scheduled to commence on August 6, 2013.

8       **IT IS THEREFORE STIPULATED AND AGREED** by and between each of  
9 the parties to the above-captioned action, through their counsel of record, that additional  
10 time is requested for the parties to finalize a settlement that will result in final resolution  
11 of this matter with prejudice, and the parties respectfully request that the Court:

12       (1) Postpone the deadline for the parties to submit their pretrial documents,  
13 including pretrial conference order, witness lists, exhibit list, memorandum of  
14 contentions of fact and law, and jury instructions, from June 21, 2013 to June 28, 2013,  
15 to allow the parties sufficient time to finalize the settlement and file the dismissal.

16  
17 DATED: June 21, 2013

**GREENBERG TRAURIG, LLP**

18  
19 By: s/Valerie W. Ho

Valerie W. Ho

20 Attorneys for Plaintiff and Counter-Defendant  
21 Tech-4-Kids, Inc.

22  
23 DATED: June 21, 2013

**STRADLING YOCCA CARLSON & RAUTH**

24  
25 By: Sarah S. Brooks

26 Sarah S. Brooks

27 Attorneys for Defendant and Counter-  
28 Claimant Sport Dimension, Inc.

**CERTIFICATE OF SERVICE**

I certify that on June 21, 2013 the foregoing documents JOINT STIPULATION SEEKING EXTENSION RE DISMISSAL OF THE ACTION were served on all parties or their counsel of record through the CM/ECF system if they are registered users or, if they are not, by serving a true and correct copy at the addresses listed below:

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TECH-4-KIDS, Inc.

/s/ Sarah S. Brooks  
Signature

June 21, 2013  
Date